

REMARKS

This is in response to the Office Action dated September 1, 2011 and follows an interview between Applicant's representative, Chris J. Volkmann, and Examiner Stroder conducted on October 28, 2011.

In the Office Action, claims 11, 13-18, and 38-50 were pending and were rejected. In view of the following, reconsideration and allowance of the application are respectfully requested. All references to the present application will be made with respect to the published version at US PAP 20050096955.

Interview Summary

During the interview, Applicant's representative and the Examiner discussed amendments to the independent claims with respect to the cited references. The amendments presented herein are similar to those amendments discussed during the interview.

As discussed in further detail below, Applicant's representative contended that the cited references do not teach or suggested displayed fields in an RFQ template or evaluating replies to an RFQ template based on award criteria in the RFQ template. The Examiner indicated that she may have to update her search with respect to at least some of the amended claims. No agreement with respect to allowability was reached during the interview.

Applicant respectfully thanks the Examiner for her time and consideration in conducting the interview.

Information Disclosure Statement

On page 2, the Office Action indicated that the IDS submitted on April 21, 2011 included a document that was not considered by the Examiner. Herewith, Applicant has resubmitted the document in a new IDS. Acknowledgement of consideration of the reference is respectfully requested.

Claim Rejections 35 U.S.C. §112

On page 3, claim 47 was rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Herewith, claim 45 has been amended and claim 47 has been canceled, rendering the rejection of the claim moot.

Claim Rejections 35 U.S.C. §103

Claims 11, 13-18 and 38-50 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Hajmiragha (US Patent No. 6,289,460), in view of Beran et al. (US Patent Publication No. 2002/0055888), and further in view of Heimermann et al. (US Patent No. 7,110,976). Of these, claims 11, 13, 38, and 45 are in independent form.

Claim 11

In rejecting claim 11, the Office Action alleges that Hajmiragha discloses a document template having a plurality of fields comprising a category field, a job description field, and a date of delivery field. The Office Action also alleges that Hajmiragha discloses saving the document in a data store local to a computer system at the requestor. Applicant respectfully disagrees.

Hajmiragha is directed to allowing pre-designated users at remotely located computer-based systems to perform document management. In the cited section, Hajmiragha describes a “template document” with various levels of access and a template generates a series of access control list records that are “activated conditionally based upon the requested task, responsibility and completion.” Specifically, the Office Action alleges that the mention of “document type” at column 7, line 35 and “John Smith is requested to review, or sign, a given document by a specific date” at column 7, lines 41-43 reads on a category field, a job description field, and a date of delivery field. As discussed during the interview, these are not displayed fields within a template nor are they fields that receive entered job information for a requested job indicative of terms for delivery of goods or services. By way of example, providing “John Smith” with a request to review a given document by a specific date, as in Hajmiragha, does not teach or suggest a displayed field in a template receiving a delivery date for a requested job. Hajmiragha makes it clear that the alleged template “is a read-only document with various levels of access” (emphasis added) precluding an interpretation that the cited “template document” includes fields for receiving input.

Furthermore, in alleging that Hajmiragha discloses saving a document in a local data store the Office Action cites column 5, lines 61-column 6, line 7 and columns 7, lines 10-21. What Hajmiragha describes is that a publication schedule manager allows for document publication (column 5, lines 61-column 6, line 8) and an external document is managed by a

document manager (column 7, lines 10-21. What is not described nor suggested is that job information is entered into the alleged RFQ template (i.e., the template document which is given to "John Smith for review") and saved with an RFQ template in a local data store local.

The Office Action acknowledges that Hajmiragha and Beran do not teach or suggest automatically evaluating received replies. However, in the cited Heimermann reference what is described is that "determinations are presumptively made on the basis of lowest price-bid" and "upon such automatic acceptance of a bid, the System immediately provides comprehensive transaction processing." The immediate prior section (see column 29, lines 31-45) makes it clear that the "Central Procurement Authority (CPA) makes the determinations as to which bid to accept. FIGS. 1 and 2 of Heimerman are reproduced below:

Figure 1
High-Level Structure of the "System"

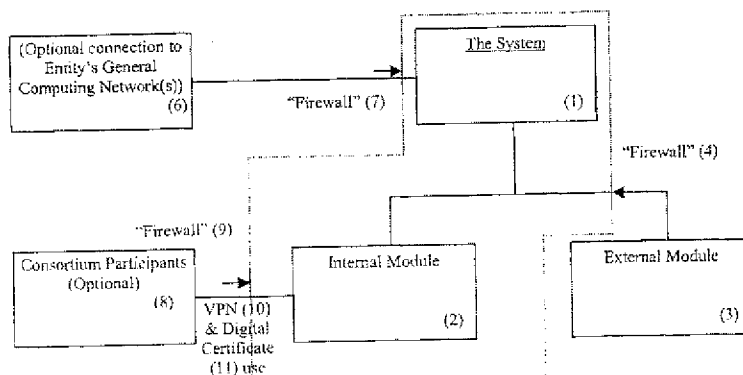
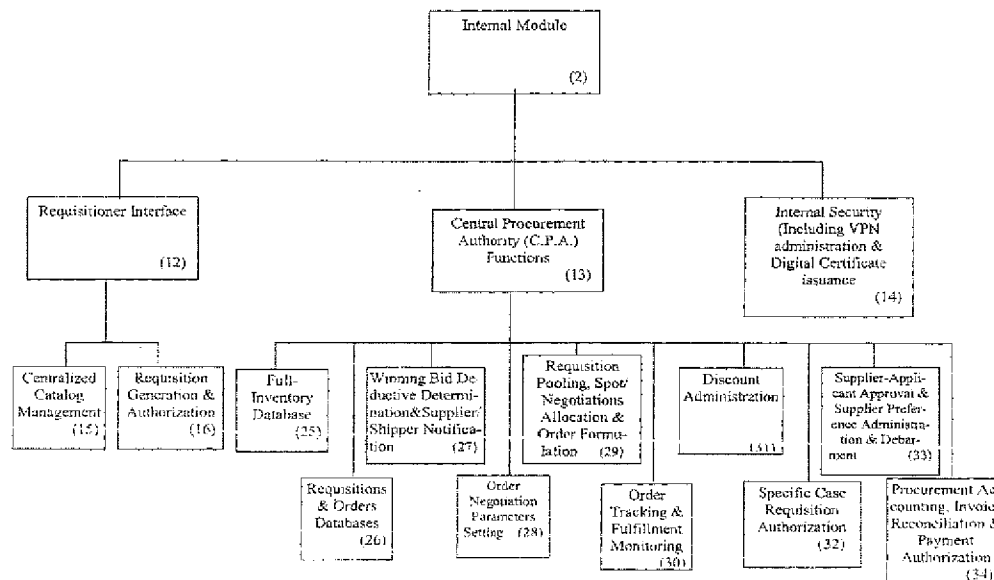


Figure 2
Mid-Level Structure: Internal Module



Cited order negotiations parameter setting sub-element (28) of the CPA, which is an internal module of the “System” shown in FIG. 1, includes settings for the CPA to make the bid determinations. Heimermann makes it clear that this system and CPA is centralized for a governmental administrative unit (see column 1, lines 60-62). That is, Heimermann describes a centralized procurement system for handling all bids within a governmental unit (see the summary at column 11, lines 50-column 12, line 21). Therefore, even if Heimermann discloses automatically evaluating replies (which Applicant does not concede), it is clear that such evaluating is not being performed at a requester computing system that entered the job information including the award criteria. Further, the replies are not replies to an RFQ template nor does Heimermann disclose award criteria in an RFQ template.

For at least these reasons, Applicant respectfully contends that independent claim 11 is neither taught, suggested, nor rendered obvious by the cited references and is in allowable form.

Claim 13

With respect to independent claim 13, Applicant respectfully contends that the cited references at least do not teach or suggest displaying an RFQ template including a plurality of displayed fields and entering job information into the plurality of displayed fields as claimed. Moreover, as similarly mentioned above the references also do not teach or suggest saving an

RFQ template including entered job information in a data store local to a requester computing system, let alone receiving replies at the requester computing system and evaluating the received replies based on award criteria. In contrast, the cited Heimermann reference discloses a centralized CPA including order negotiation parameter setting sub element 28, and does not teach or suggest evaluating replies at a requester computing system that entered job information including the award criteria into an RFQ template.

For at least these reasons, Applicant respectfully contends that independent claim 13 is neither taught, suggested, nor rendered obvious by the cited references and is in allowable form.

Claim 38

With respect to independent claim 38, Applicant contends that the cited references at least do not teach or suggest a plurality of displayed fields in an RFQ template as claimed. Further, Applicant has amended the claim to recite, among other features, “an award criteria field for the requested job, the award criteria field identifying one or more of the plurality of fields in the RFQ template and a manner in which criteria entered into the one or more fields will be considered by the manufacturer in awarding the requested job to a supplier.” Applicant notes that support for the amendment to claim 38 can be found in Applicant’s specification, at least at FIG. 5B and paragraphs 47, and 62. For example, but not by limitation, in one described embodiment a template indicates that a manufacturer will award a contract to a supplier based on its evaluation of all criteria and price. This is illustrated in FIG. 5B. The specification also describes that in one embodiment “the specific award criteria listed in the RFQ template can be automatically compared against fields identifying those criteria in the RFQ replies” (see paragraph 62).

As discussed during the interview, and apparently acknowledged by the Examiner, the cited references do not teach or suggest an award criteria field identifying one or more fields in the RFQ template and a manner in which criteria entered into the one or more fields will be considered in awarding the requested job.

For at least these reasons, Applicant respectfully contends that independent claim 38 is neither taught, suggested, nor rendered obvious by the cited references and is in allowable form.

Claim 45

With respect to independent claim 45, Applicant respectfully contends that the cited references at least do not teach or suggest an RFQ template having a plurality of displayed job

information fields as claimed. Further, the references also do not teach or suggest saving an RFQ template including job information and award criteria in a data store local to a manufacturer computing system or receiving replies to the template at a manufacturer computing system and evaluating the replies.

Moreover, claim 45 has also been amended to recite "a supplier pre-designation field" and "receiving manufacturer filter criteria into the supplier pre-designation field." As discussed during the interview, and apparently acknowledged by the Examiner, the references also do not teach or suggest these features.

For at least these reasons, Applicant respectfully contends that independent claim 45 is neither taught, suggested, nor rendered obvious by the cited references and is in allowable form.

Applicant contends that related dependent claims 4-18, 39-44, and 46-50 are also in allowable form at least based on their relation to independent claims 11, 13, 38, and 45, discussed above.

Conclusion

The foregoing remarks are intended to assist the Office in examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered exhaustive of the facets of the claimed subject matter, which are rendered patentable, being only examples of certain advantageous features and differences, which Applicant's representative chooses to mention at this time. For the foregoing reasons, Applicant reserves the right to submit additional evidence showing the claimed subject matter to be unobvious in view of the art of record.


Furthermore, in commenting on the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the references and language of the claims have been mentioned, even though such differences may not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims.

In view of the foregoing, it is submitted that all pending claims are in condition for allowance. Reconsideration and allowance of the application are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

MICROSOFT CORPORATION

By: 

Chris J. Volkmann, Reg. No. 60,349
Westman, Champlin & Kelly, P.A.
900 Second Avenue South, Suite 1400
Minneapolis, MN 55402-3244
Phone: (612) 334-3222
Fax: (612) 334-3312

One Microsoft Way
Redmond, Washington 98052-6399
Phone: (425) 707-9382

CJV/slg